



Nevada State Board of Medical Examiners

*** * * M I N U T E S * * *** **OPEN SESSION BOARD MEETING**

Conference Room at the Offices of the
NEVADA STATE BOARD OF MEDICAL EXAMINERS
1105 Terminal Way, Suite 301
Reno, Nevada 89502

FRIDAY, AUGUST 25, 2000
AND
SATURDAY, AUGUST 26, 2000

FRIDAY, AUGUST 25, 2000

MEMBERS PRESENT:

Arne D. Rosencrantz, President
Susan S. Buchwald, M.D., Vice President
Paul A. Stewart, M.D., Secretary-Treasurer
Dipak K. Desai, M.D.
Cheryl A. Hug-English, M.D.
Joel N. Lubritz, M.D.
Donald H. Baepler, Ph.D., D.Sc.
Robin L. Titus, M.D.

MEMBER ABSENT:

Jaculine C. Jones, Ed.D.

STAFF PRESENT:

Larry D. Lessly, J.D., Executive Director
Maureen E. Lyons, Deputy Executive Director
Richard J. Legarza, J.D., General Counsel
Robert A. Frantz, Financial
Jan J. Cohen, J.D., Assistant Chief Deputy Attorney
General

AGENDA ITEM 1

Call to Order - Arne D. Rosencrantz, President

The meeting was called to order by Arne D. Rosencrantz,
President, at 3:55 p.m. on Friday, August 25, 2000.

AGENDA ITEM 5

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Larry D. Stoddard, M.D., Case No. 00-7831-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all adjudicating members were present and prepared to adjudicate the matter of the Nevada State Board of Medical Examiners vs. Larry D. Stoddard, M.D., Case No. 00-7831-1, except Jaculine C. Jones, Ed.D., who was absent from the meeting and has been excused.

The adjudicating members deliberated on the single count of the complaint, a violation of NRS 630.301(3), suspension, modification or limitation of the license to practice medicine by any other jurisdiction, namely, the indefinite suspension of Dr. Stoddard's Utah medical license and his agreeing to the revocation of his controlled substance license in Utah.

Dr. Desai moved to find Larry D. Stoddard, M.D. guilty of the single count of the Complaint. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the possible sanctions which would be appropriate in this matter.

Dr. Desai moved to revoke Dr. Stoddard's license to practice medicine in the state of Nevada and to assess him all costs incurred by the board in bringing the disciplinary action against him. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 6

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Phillip M. Milgram, M.D., Case No. 00-5990-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all adjudicating members were present and prepared to adjudicate the matter of the Nevada State Board of Medical Examiners vs. Phillip M. Milgram, M.D., Case No. 00-5990-1, except Jaculine C. Jones, Ed.D., who was absent from the meeting and has been excused.

The adjudicating members deliberated on the three counts of the complaint: 1) count one - violation of NRS 630.301(3), suspension, modification or limitation of the license to practice medicine by any other jurisdiction, namely, the surrender of his California medical license; 2) count two - violation of NRS 630.301(3), suspension, modification or

limitation of the license to practice medicine by any other jurisdiction, namely, the suspension of his New York medical license; and 3) count three - violation of NRS 630.306(11), failure to report the surrender of his California medical license.

Dr. Desai moved to find Phillip M. Milgram, M.D. guilty of count one of the Complaint. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Desai moved to find Phillip M. Milgram, M.D. guilty of count two of the Complaint. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Desai moved to find Phillip M. Milgram, M.D. guilty of count three of the Complaint. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the possible sanctions which would be appropriate in this matter.

Dr. Desai moved to revoke the license to practice medicine in the state of Nevada of Phillip M. Milgram, M.D. Dr. Titus seconded the motion. Discussion ensued.

Dr. Lubritz moved to amend the motion to include assessing Dr. Milgram for all costs incurred by the board in bringing the disciplinary action against him. Dr. Titus seconded the amended motion to revoke the license to practice medicine in the state of Nevada of Phillip M. Milgram, M.D. and assess him for all costs incurred by the board in bringing the disciplinary action against him. The amended motion passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 7

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Pano Concha, M.D., Case No. 00-4458-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all adjudicating members were present and prepared to adjudicate the matter of the Nevada State Board of Medical Examiners vs. Pano Concha, M.D., Case No. 00-4458-1, except Jaculine C. Jones, Ed.D., who was absent from the meeting and has been excused.

The adjudicating members deliberated on the two counts of the complaint: 1) count one - violation of NRS 630.304(1), attempting to renew a license to practice medicine by fraud or misrepresentation or by a false, misleading, inaccurate or incomplete statement; and 2) count two - violation of NRS 630.306(11), failure to report the revocation of

his California medical license.

Dr. Hug-English moved to find Pano Concha, M.D. guilty of count one of the Complaint. Dr. Desai seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Hug-English moved to find Pano Concha, M.D. guilty of count two of the Complaint. Dr. Desai seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the possible sanctions which would be appropriate in this matter.

Dr. Desai moved to issue a public written reprimand to Pano Concha, M.D. and to assess him for all costs incurred by the board in bringing the disciplinary action against him. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 8

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Jeffrey R. Unger, M.D., Case No. 00-7830-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

*****AND*****

AGENDA ITEM 8 (AMENDED)

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Jeffrey R. Unger, M.D., Case No. 00-7830-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

(a) Adjudication

(b) Consideration of Acceptance of Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation

Mr. Rosencrantz confirmed that all adjudicating members were present and prepared to adjudicate the matter of the Nevada State Board of Medical Examiners vs. Jeffrey R. Unger, M.D., Case No. 00-7830-1, except Jaculine C. Jones, Ed.D., who was absent from the meeting and has been excused.

Mr. Legarza summarized the circumstances surrounding Dr. Unger's submission of his Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation for the board's consideration.

The adjudicating members considered and discussed Dr. Unger's offer of Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation.

Dr. Lubritz moved to not accept Jeffrey R. Unger, M.D.'s Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation. Dr. Hug-English seconded the motion, stating that the surrender was not timely or appropriate, and the motion passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the two counts of the complaint: 1) count one - violation of NRS 630.304(1), attempting to renew a license to practice medicine by fraud or misrepresentation or by a false, misleading, inaccurate or incomplete statement; and 2) count two - violation of NRS 630.306(11), failure to report the action taken by the Medical Board of California against his California medical license.

Dr. Desai moved to find Jeffrey R. Unger, M.D. guilty of count one of the Complaint. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Desai moved to find Jeffrey R. Unger, M.D. guilty of count two of the Complaint. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the possible sanctions which would be appropriate in this matter.

Dr. Desai moved to revoke the license to practice medicine in the state of Nevada of Jeffrey R. Unger, M.D. and assess him for all costs incurred by the board in bringing the disciplinary action against him. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 9

Adjudication in the Matter of the Nevada State Board of Medical Examiners vs. Richard S. Rigmaiden, M.D., Case No. 00-8525-1

Adjudicating Board Members: Arne D. Rosencrantz, President; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all adjudicating members were present and prepared to adjudicate the matter of the Nevada State Board of Medical Examiners vs. Richard S. Rigmaiden, M.D., Case No. 00-8525-1, except Jaculine C. Jones, Ed.D., who was absent from the meeting and has been excused.

Dr. Hug-English advised that she at one time worked with Dr. Rigmaiden on a committee at the University of Nevada, but will not recuse herself from adjudicating the case against him, as she feels that her past contact with Dr. Rigmaiden will not influence her judgment.

The adjudicating members deliberated on the single count of the complaint, a violation of NRS 630.301(3), suspension, modification or limitation of a license to practice medicine by any other jurisdiction, namely, the limitation or modification of his Nebraska medical license.

Dr. Lubritz moved to find Richard S. Rigmaiden, M.D. guilty of the single count of the Complaint. Dr. Desai seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

The adjudicating members deliberated on the possible sanctions which would be appropriate in this matter.

Dr. Desai moved to issue a public written reprimand to Richard S. Rigmaiden, M.D. and to assess him for all costs incurred by the board in bringing the disciplinary action against him. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 2 Approval of Minutes

- June 3, 2000 Board Meeting - Open/Executive Sessions
- June 30, 2000 Board Meeting - Open Session

Dr. Desai moved to accept the minutes of the June 3, 2000 Board Meeting - Open/Executive Sessions and June 30, 2000 Board Meeting - Open Session. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 3 Consideration of Acceptance of Voluntary Surrender of License to Practice Medicine as a Physician Assistant in the State of Nevada While Under Investigation of Mark L. Knutson, P.A.-C, License No. 350

Adjudicating Board Members: Arne D. Rosencrantz, President; Susan S. Buchwald, M.D., Vice President; Paul A. Stewart, M.D., Secretary-Treasurer; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; Donald H. Baepler, Ph.D., D.Sc.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all board members were present and prepared to consider accepting the Voluntary Surrender of License to Practice Medicine as a

Physician Assistant in the State of Nevada While under Investigation of Mark L. Knutson, P.A.-C, Licence No. 350, except Jaculine C. Jones, M.D., who was absent from the meeting and has been excused.

Dr. Desai moved to accept the Voluntary Surrender of License to Practice Medicine as a Physician Assistant In the State of Nevada While Under Investigation of Mark L. Knutson, P.A.-C, License No. 350. Dr. Baepler seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 4

Consideration of Acceptance of Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation of Richard C. Sheretz, M.D., License No. 1761

Adjudicating Board Members: Arne D. Rosencrantz, President; Susan S. Buchwald, M.D., Vice President; Paul A. Stewart, M.D., Secretary-Treasurer; Dipak K. Desai, M.D.; Jaculine C. Jones, Ed.D.; Cheryl A. Hug-English, M.D.; Joel N. Lubritz, M.D.; Donald H. Baepler, Ph.D., D.Sc.; and Robin L. Titus, M.D.

Mr. Rosencrantz confirmed that all board members were present and prepared to consider accepting the Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation of Richard C. Sheretz, M.D., Licence No. 1761, except Jaculine C. Jones, M.D., who was absent from the meeting and has been excused.

Dr. Buchwald moved to accept the Voluntary Surrender of License to Practice Medicine in the State of Nevada While Under Investigation of Richard C. Sheretz, M.D., License No. 1761. Dr. Desai seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 10

Announcement of Appointments to Committee to Study Post-Licensure Continuing Competency Evaluations - Arne D. Rosencrantz, President

Mr. Rosencrantz announced that he will chair the Committee to Study Post-Licensure Continuing Competency Evaluations, and he appointed Dr. Buchwald and Dr. Baepler to the committee with him.

Mr. Lessly advised that, as an introduction, he will arrange for the committee members, himself and Mr. Legarza to travel to the Federation of State Medical Boards of the United States, Inc.'s offices in Dallas, TX for a presentation on the Special Purpose Examination (SPEX).

Dr. Stewart, Dr. Desai, Dr. Lubritz and Dr. Titus requested participation in the session in Dallas. Mr. Lessly stated that he will advise all members of the date for the session once it is confirmed.

AGENDA ITEM 11
Reports

- Diversion Program: *Oversight Committee Report* - Paul A. Stewart, M.D., Chairperson
- Physician Assistant Advisory Committee - Nancy E. Munoz, P.A.-C, Committee Representative

- Diversion Program: *Oversight Committee Report* - Paul A. Stewart, M.D., Chairperson

Dr. Stewart reported that the Investigative Committee, acting as the board's oversight committee for the Diversion Program, met with Carol R. Bowers, R.N., C.D., Executive Director of the Nevada Health Professionals Assistance Foundation, at its meeting earlier today. He stated that Ms. Bowers is now the only paid employee of the foundation and she is doing well with improving the management of the board's program. He added that F. Victor Rueckl, M.D. has disassociated himself from and new officers have been appointed to the foundation, with new policies and procedures having been implemented. There are currently 42 licensed medical doctors and physician assistants in the program, with five potential new contracts pending. He advised that the foundation expects to receive funding within a month in the amount of \$100,000 from Nevada hospitals.

Mr. Rosencrantz directed staff to place Ms. Bowers on the board's December meeting agenda for presentation of an annual report on the board's Diversion Program, covering January 15, 2000, when Ms. Bowers first became employed by the foundation, through December 1, 2000.

AGENDA ITEM 13
Secretary-Treasurer's Report - Paul A. Stewart, M.D., Secretary-Treasurer
- Robert A. Frantz, Financial Manager

- Approval of Audit for Fiscal Year 1999-2000

Mr. Frantz distributed copies of and reviewed for members the board's balance sheet as of August 25, 2000 and income/expenses for July 1 through August 25, 2000. He referred members to the audit for fiscal year 1999-2000 as it appears in the agenda book and requested its approval for filing with the state.

Dr. Desai moved to accept the audit for fiscal year 1999-2000 and authorize it to be filed as required by statute. Dr. Buchwald seconded the motion, and it passed unanimously.

AGENDA ITEM 15

Legal Reports - Richard J. Legarza, J.D., General Counsel
- Jan J. Cohen, J.D., Assistant Chief Deputy Attorney General

- Board Ordered Terms, Conditions and Probation Status
- Board Litigation Status

- Board Ordered Terms, Conditions and Probation Status

Mr. Legarza reported that all licensees currently on disciplinary probation with the board are in compliance.

- Board Litigation Status

Mrs. Cohen reported that the board's decision was confirmed by the Nevada Supreme Court on both Patient A and Patient B in the matter of Harriston Lee Bass, Jr., M.D.'s appeal of the board's disciplinary action against him. A Petition for Reconsideration has been filed by Dr. Bass and is pending with the court.

Mr. Legarza reported that:

- 1) ...Chad R. Niles, M.D. has paid his fees and completed his uncompensated community service, and, therefore, is in compliance with the terms of the disciplinary Order filed by the board against him;
- 2) ...William O. Murray, M.D.'s appeal of the board's disciplinary action against him is pending in District Court;
- 3) ...Nir Lorant, M.D. has filed a new Motion to Dismiss the board's disciplinary action against him;
- 4) ...he and Mrs. Cohen are still working on the matter of the civil rights suit filed by Warren S. Gilbert, M.D. against the board; and
- 5) ...on August 22, 2000, he, Mr. Lessly, Dr. Baepler, Dr. Buchwald, Mr. Rosencrantz, and Robert R. Barengo, J.D., Legislative Counsel to the board represented the board before the Legislative Committee to oppose the proposed regulations of the Nevada State Board of Homeopathic Medical Examiners. He advised that the proposed regulations were objected to by the committee and, therefore, do not become effective.

Dr. Hug-English requested that all board members be notified each time that board representation is required before the Legislature in the next legislative session.

AGENDA ITEM 16

Executive Director's Report - Larry D. Lessly, J.D., Executive Director

- Maureen E. Lyons, Deputy Executive Director
- Status of Proposed Enhancements to Board's Web Site – www.state.nv.us/medical/
- Consideration and Approval of Proposed 2001 Board Meeting Schedule
- Consideration of Requests for Member and Staff Attendance at Workshops, Meetings and/or Training Sessions
- Consideration of Request by F. Fuller Royal, M.D., H.M.D. for Information on Board Staff and Members
- Informational Items
- **Status of Proposed Enhancements to Board's Web Site – www.state.nv.us/medical/**

Mrs. Lyons reported that she is in the very beginning stages of negotiation with System Automation Corporation regarding the possible implementation of a profiling program to be placed on the board's Web site. Mr. Rosencrantz asked that this matter be placed on the December meeting agenda for a report on the progress of the negotiations.

- Consideration and Approval of Proposed 2001 Board Meeting Schedule

Dr. Baepler moved to approve the proposed 2001 Board Meeting Schedule as it appears in the agenda book. Dr. Hug-English seconded the motion, and it passed unanimously.

- Consideration of Requests for Member and Staff Attendance at Workshops, Meetings and/or Training Sessions

Mrs. Lyons requested approval for Misty C. Dew, Administrative Assistant and Casey N. Jinks, Receptionist to each attend a half-day "Professional Telephone Skills" seminar in Reno on September 5, 2000, with Ms. Jinks attending the morning session and Ms. Dew attending the afternoon session.

Mr. Lessly requested approval for:

- 1) ...his and Mr. Frantz's attendance at the Federation of State Medical Boards of the United States, Inc.'s "Executive Management Training" seminar to be held in Austin, Texas on October 23 & 24, 2000; and
- 2) ...Mr. Frantz; Kasey M. Miller, Administrative Assistant to the General Counsel; and Elizabeth J. Pawlikowski, Administrative Investigator, to attend the "CLEAR Annual Meeting" in Miami, Florida on September 14, 15 & 16, 2000.

Dr. Desai moved to approve staff attendance at the seminars and meeting as requested. Dr. Buchwald seconded the motion, and it passed unanimously.

- Consideration of Request by F. Fuller Royal, M.D., H.M.D. for Information on Board Staff and Members

Mr. Lessly referred members to the correspondence in the agenda book from F. Fuller Royal, M.D., H.M.D. and requested approval to provide him with the information he requested in his correspondence.

By consensus, the board directed Mr. Lessly to provide Dr. Royal with the information he requested.

- Informational Items

There was no report under this agenda item.

RECESS

Mr. Rosencrantz recessed the meeting at 6:40 p.m.

SATURDAY, AUGUST 26, 2000

MEMBERS PRESENT:

Arne D. Rosencrantz, President
Susan S. Buchwald, M.D., Vice President
Paul A. Stewart, M.D., Secretary-Treasurer
Dipak K. Desai, M.D.
Cheryl A. Hug-English, M.D.
Joel N. Lubritz, M.D.
Donald H. Baepler, Ph.D., D.Sc.
Robin L. Titus, M.D.

MEMBER ABSENT:

Jacqueline C. Jones, Ed.D. (Dr. Jones participated in the meeting via telephone during Agenda Item 23 at 2:00 p.m. until adjournment of the meeting at 2:10 p.m.)

STAFF PRESENT:

Larry D. Lessly, J.D., Executive Director
Maureen E. Lyons, Deputy Executive Director
Richard J. Legarza, J.D., General Counsel
Robert A. Frantz, Financial Manager
Rebecca A. Gaul-Richards, Senior License Specialist
Misty C. Dew, Administrative Assistant
Casey N. Jinks, Receptionist
Jan J. Cohen, J.D., Assistant Chief Deputy Attorney General

The meeting was reconvened by Arne D. Rosencrantz, President, at 9:00 a.m. on Saturday, August 26, 2000.

AGENDA ITEM 12

Public Service Announcement Committee Report - Committee Members: Arne D. Rosencrantz, President; Joel N. Lubritz, M.D.; and Larry D. Lessly, J.D., Executive Director

Mr. Rosencrantz gave a brief historical background of the board's public service announcement program to date. He introduced Tim Quillin of Quillin & Company, an advertising and public relations company located in Las Vegas, and asked him to present the two proposed new public service announcements for the board's consideration. Mr. Rosencrantz added that the board's Public Service Announcement Committee had previewed several proposed announcements prepared by Mr. Quillin and asked that these two be presented for the board's consideration.

Following Mr. Quillin's presentations, discussion ensued with Dr. Titus moving to direct Mr. Quillin to develop the "Who's Examining Who?" script for the board's new public service announcement in both television and radio format. Dr. Buchwald seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Mr. Rosencrantz directed Mr. Quillin to present the proposed "Who's Examining Who?" television and radio announcements, once they are developed, to the Public Service Announcement Committee for approval prior to their finalization.

AGENDA ITEM 17

Consideration of Request by Nevada Society for Respiratory Care for Licensure of Respiratory Therapists by Nevada State Board of Medical Examiners

Michael J. Garcia, R.R.T., President, and Peggy Alby, R.R.T., Past-President, Nevada Society for Respiratory Care, appeared before the board for consideration of the society's request for licensure of respiratory therapists by the board. Mr. Garcia advised that Senators Rawson and Raggio have agreed to sponsor the society's bill draft request for state licensure of respiratory therapists and added that the society is very interested in having respiratory therapists come under the Nevada State Board of Medical Examiners' jurisdiction. He stated that there are currently approximately six hundred respiratory therapists practicing in Nevada. Mr. Garcia advised that the society seeks support from the board of its bill draft request and for licensure by the board, should the bill become enacted.

Discussion ensued, with Dr. Lubritz moving that the board support the Nevada Society for Respiratory Care's request for licensure by the Nevada State Board of Medical Examiners. Dr. Desai seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 20

Consideration of Comments from All Interested Persons Regarding the Adoption, Amendment, or Repeal of Regulations Pertaining to Chapter 630 of the Nevada Administrative Code and Adoption of Proposed

- Practice of Integrative and Complementary Medicine
- Licensing of Physician Assistants
- Requirement for Hearing Officer Synopsis

A court reporter was present to record this agenda item. Please refer to the court reporter's transcript.

Dr. Baepler moved to adopt the changes to Chapter 630 of the Nevada Administrative Code as distributed to the board members yesterday and available to the public this morning, which in Sections 2, 3 and 4, shows no changes from the original manuscript, and in Section 1, shows some rather significant changes by deletion of objectionable language rather than by any additions. Dr. Desai seconded the motion. Discussion ensued, and the motion passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 11

Reports (CONTINUED)

- Diversion Program: *Oversight Committee Report* - Paul A. Stewart, M.D., Chairperson
- Physician Assistant Advisory Committee - Nancy E. Munoz, P.A.-C, Committee Representative

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Open Session Minutes

- Diversion Program: *Oversight Committee Report* - Paul A. Stewart, M.D., Chairperson
(CONTINUED)

Carol R. Bowers, R.N., C.D., Executive Director, Nevada Health Professionals Assistance Foundation, advised that she gave her report on the current status of the board's Diversion Program to the Investigative Committee, acting as the Oversight Committee for the Diversion Program, at the committee's meeting yesterday. She confirmed the program statistics given by Dr. Stewart this morning under this agenda item.

AGENDA ITEM 14

Investigative Committee Report - Paul A. Stewart, M.D., Secretary-Treasurer, Chair

- Request for Closure of Cases

Dr. Stewart confirmed that all board members have reviewed the listing of cases recommended for closure by the Investigative Committee distributed earlier during the meeting. Dr. Desai moved to approve the cases recommended for closure by the Investigative Committee. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 11

Reports (CONTINUED)

- Diversion Program: *Oversight Committee Report* - Paul A. Stewart, M.D., Chairperson
- Physician Assistant Advisory Committee - Nancy E. Munoz, P.A.-C, Committee Representative

- Physician Assistant Advisory Committee - Nancy E. Munoz, P.A.-C, Committee Representative

Ms. Munoz reported that the Nevada Academy of Physician Assistants continues to work on a proposed bill, sponsored by Assemblyman Joseph E. Dini, to add physician assistants to the list in the Nurse Practice Act of those health care practitioners from whom nurses are authorized to take orders.

AGENDA ITEM 18

Consideration of Request by Nevada Academy of Physician Assistants for Board's Support of Academy's Proposed Legislation

Mary (Meg) M. Uram, P.A.-C, President, Nevada Academy of Physician Assistants, appeared before the board to request the board's support, in writing, of the Academy's proposed bill to add physician assistants to the list in the Nurse Practice Act of those health care practitioners from whom nurses are authorized to take orders.

Dr. Lubritz moved to direct board staff to prepare a letter in support of the Nevada Academy of Physician Assistants' bill as described by Ms. Uram. Dr. Buchwald seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 19

Request by University of Nevada School of Medicine for Support of Establishment of Pharmacy Degree Program

Mr. Lessly distributed copies of a letter received on August 17, 2000, from Iain L. O. Buxton, Professor of Pharmacology & Co-Chair, Presidents Pharmacy School Task Force, University of Nevada School of Medicine, requesting a letter of support from the board to assist the Presidents Pharmacy School Task Force in securing Regent approval and eventual state funding for the establishment of a School of Pharmacy for Nevada.

Discussion ensued, with Dr. Desai moving that the board provide Professor Buxton with a letter supporting the initiation of an evaluation process of the concept of the establishment of a School of Pharmacy by the University of Nevada. Dr. Hug-English seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Mr. Rosencrantz directed board staff to prepare a letter of support for Professor Buxton.

AGENDA ITEM 21

Acceptance of Applications for Licensure - Appearances

Dr. Buchwald moved to go into Executive Session to discuss the character and professional competence of applicants for licensure. The motion was seconded by Dr. Desai, and it passed unanimously.

Executive Session

21 (a) Robert Block, M.D.

Upon returning to Open Session, Dr. Desai moved to accept Robert Block, M.D.'s application for licensure. Dr. Lubritz seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Buchwald moved to return to Executive Session for the same purposes as stated before. Dr. Titus seconded the motion, and it passed unanimously.

21 (b) Mark Broadhead, M.D.

Upon returning to Open Session, Dr. Desai moved to accept Mark Broadhead, M.D.'s application for licensure. Dr. Stewart seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Desai moved to return to Executive Session for the same purposes as stated before. Dr. Buchwald seconded the motion, and it passed unanimously.

21 (c) William Elsaessor, M.D.

Upon returning to Open Session, Dr. Titus moved to accept William Elsaessor, M.D.'s application for licensure. Dr. Buchwald seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Buchwald moved to return to Executive Session for the same purposes as stated before. Dr. Desai seconded the motion, and it passed unanimously.

21 (d) Kyun Kim, M.D.

Upon returning to Open Session, Dr. Buchwald moved to accept Kyun Kim, M.D.'s application for licensure. Dr. Stewart seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

Dr. Desai moved to return to Executive Session for the same purposes as stated before. Dr. Buchwald seconded the motion, and it passed unanimously.

21 (e) Henry Stachura, M.D.

Upon returning to Open Session, Dr. Desai moved to accept Henry Stachura, M.D.'s application for limited licensure to participate in a residency program in Nevada. Dr. Stewart seconded the motion, and it passed, with Dr. Lubritz opposing the motion and the Chair voting in favor of the motion.

RECESS

Mr. Rosencrantz recessed the meeting at 1:20 p.m. for lunch.

Mr. Rosencrantz reconvened the meeting at 1:55 p.m.

AGENDA ITEM 22

Ratification of Licenses Issued, and Reinstatements of Licensure and Changes of Licensure Status Approved Since the June 3, 2000 Board Meeting

Dr. Desai moved to ratify the licenses issued, and reinstatements of licensure and changes of licensure status approved since the June 3, 2000 board meeting. Dr. Titus seconded the motion, and it passed unanimously, with the Chair voting in favor of the motion.

AGENDA ITEM 25

Matters for Future Agenda

Mr. Lessly distributed copies of a Citizen's Advocacy Center brochure and recommended that the board not participate in the program suggested by the

brochure, as Nevada's reporting requirements for malpractice and other violations of the Nevada Medical Practice Act are clearly delineated by Chapter 630 of Nevada Revised Statutes. He asked that members contact him should they wish to have this matter placed on the agenda of a future board meeting for consideration.

AGENDA ITEM 23
Election of Officers

Dr. Jones participated in the vote by telephone beginning at 2:00 p.m.

- President

Mr. Rosencrantz asked for nominations for the office of President.

Dr. Desai nominated Mr. Rosencrantz for the office of President. Dr. Lubritz seconded the motion.

Dr. Buchwald moved to closed nominations for the office of President. Dr. Stewart seconded the motion, and it passed unanimously

There being no other nominations, Mr. Rosencrantz was elected President by acclamation.

- Vice President

Dr. Desai nominated Dr. Buchwald for the office of Vice President. Dr. Hug-English seconded the motion.

Dr. Stewart moved to closed nominations for the office of Vice President. Dr. Hug-English seconded the motion, and it passed unanimously

There being no other nominations, Dr. Buchwald was elected Vice President by acclamation.

- Secretary-Treasurer

Mr. Rosencrantz called for nominations for the office of Secretary-Treasurer.

Dr. Desai nominated Dr. Stewart for the office of Secretary-Treasurer. Dr. Hug-English seconded the motion.

Dr. Desai moved to closed nominations for the office of Secretary-Treasurer. Dr. Buchwald seconded the motion, and it passed unanimously

There being no other nominations, Dr. Stewart was elected Secretary-Treasurer by acclamation.

Mr. Rosencrantz thanked members for their support and stated his feeling that the board does an excellent job for the citizens of Nevada. He also thanked staff and congratulated them on their good work.

AGENDA ITEM 24

Appointment of Members to the Investigative and Internal Affairs Committees

Mr. Rosencrantz made the following committee appointments, effective August 26, 2000, for a period of one year:

Investigative Committee:

Dr. Stewart, Chair
Dr. Baepler, Member
Dr. Titus, Member

Internal Affairs Committee:

Dr. Buchwald, Chair
Dr. Jones, Member
Dr. Lubritz, Member

AGENDA ITEM 26

Public Comment

There was no public comment.

ADJOURNMENT

Mr. Rosencrantz adjourned the meeting at 2:10 p.m.